

# **Exhibit A**

**From:** [Mulligan, Mary](#)  
**To:** [Sassoon, Danielle \(USANY\)](#); [Haggerty, Timothy](#)  
**Cc:** [Thomas, Andrew \(USANY\)](#); [Rossmiller, Alexander \(USANY\)](#)  
**Subject:** Re: stay of proceedings (Patrick Halligan)  
**Date:** Wednesday, October 26, 2022 6:55:26 PM

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AUSA Sassoon –

Thank you for your message, and for speaking with us yesterday afternoon with Alex.

On behalf of Mr. Halligan, our position is that the stay applications sought by the Government are premature at this time.

In the SEC and CFTC cases, the defendants have made (filed yesterday in the SEC case) and will be making (next week in the CFTC case) case-dispositive motions that, if granted, would moot any arguable basis for the Government to seek a stay. Given that further papers will be filed in connection with those motions, we believe your current application to intervene and seek a stay of discovery in those actions is premature at this time. We also highlight that those actions have been pending for six months and no discovery has been sought to date.

In the *Sullivan v. Hwang et al.* case, the defendants including our client also anticipate making case-dispositive motions, and we do not believe that the making or adjudication of those motions would implicate, far less compromise, any legitimate Governmental interest. Moreover, the defendants have also sought permission for leave to file a motion to stay all discovery in the *Sullivan* action pending the resolution of the motions to dismiss. To the extent the Government's concerns relate to the taking of potential discovery, those concerns (the merit of which we don't address here) would fully resolved for now if the Court grants the defendants' motion.

Accordingly, we oppose the Government's anticipated applications in all three cases for the reasons explained herein.

Kind regards,

Mary

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**From:** Sassoon, Danielle (USANYS) <Danielle.Sassoon@usdoj.gov>  
**Sent:** Tuesday, October 25, 2022 4:45:15 PM  
**To:** Mulligan, Mary <mmulligan@fklaw.com>; Haggerty, Timothy <thaggerty@fklaw.com>  
**Cc:** Thomas, Andrew (USANYS) <Andrew.Thomas2@usdoj.gov>; Rossmiller, Alexander (USANYS) <Alexander.Rossmiller@usdoj.gov>  
**Subject:** stay of proceedings (Patrick Halligan)

Hi Mary,

I hope you are well. My understanding is that you previously conveyed to my colleagues that you oppose a stay in the SEC and CFTC cases and the plaintiffs' suit. We have since decided to narrow our request in the SEC and CFTC cases to a stay of discovery only, while still seeking a full stay of the plaintiffs' suit. For purposes of conveying your position in our filings, please let me know by the end of the day tomorrow if your position has changed.

Thank you,

Danielle R. Sassoon  
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